The House of Representatives convened at 1:00 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Father Dave McCauley, St. Ambrose of Woodbury, Woodbury, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler
Abrams
Anderson, B.
Anderson, I.
Bakk
Bernardy
Biernat
Bishop
Blaine
Boudreau
Bradley
Buesgens
Carlson
Carlsen
Cassell
Clark, J.
Clark, K.
Daggett
Davids
Davnie
Dawkins
Dehler
Dempsey
Dibble

Dorman
Dorn
Eastlund
Entenza
Erhardt
Erickson
Evans
Finseth
Folliard
Fuller
Gerlach
Gleason
Goodno
Goodwin
Gray
Greiling
Gunther
Haas
Hackbart
Harder
Hilstrom
Hilty
Holberg

Holsten
Howes
Huntley
Jacobson
Jaros
Jennings
Johnson, J.
Johnson, R.
Johnson, S.
Jordan
Juhnke
Kahn
Kalis
Kelliher
Kielkucki
Knoblach
Koskinen
Krinkie
Kubly
Kuisle
Larson
Leighton
Lenczewski

Leppik
Lieder
Lindner
Lipman
Mahoney
Mares
Mariani
Marko
Marquart
McElroy
McGuire
Milbert
Molnau
Mulder
Mullery
Murphy
Ness

Leipnik
Lopesen
Pawlenty
Paymar
Pelowski
Penas
Peterson
Pugh
Rhodes
Rifenberg
Rukavina
Ruth
Schumacher
Seagren
Seifert
Sertich
Skoe
Skoglund
Slawik
Smith
Solberg
Stanek
Stang

Swapinski
Swenson
Sykora
Thompson
Tingelstad
Tuma
Vandeveer
Wagenius
Walker
Walz
Wasiluk
Westerberg
Westrom
Wilkin
Winter
Wolf
Spk. Sviggum

A quorum was present.

Hausman was excused.

Workman was excused until 2:05 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Gleason moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 13, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 2695, relating to retirement; correcting Minneapolis firefighters relief association provisions; amending certain administrative procedures.

H. F. No. 58, relating to alcoholic beverages; prescribing standards for identification of beer kegs; requiring retailers of beer to maintain records of sale of beer kegs and to record the identification number of each beer keg sold; prescribing penalties.

H. F. No. 3190, relating to corrections; requiring the juvenile court to send data relating to juvenile petitions to the statewide supervision system.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 14, 2002

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 2783, relating to insurance; no-fault auto; regulating residual liability coverage.
H. F. No. 1189, relating to annexation; providing for the election of municipal council members after certain annexations.

H. F. No. 1620, relating to annexation; strengthening the effect of an orderly annexation agreement.

H. F. No. 2987, relating to Cook county; authorizing the county to convey the Mineral Center cemetery to the Grand Portage Reservation.

H. F. No. 3202, relating to the city of Delano; increasing its public utilities commission from three to five members.

H. F. No. 2629, relating to professions; allowing retired individuals licensed by the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design to use a retired professional designation.

H. F. No. 3309, relating to health; modifying provisions of licensed beds on layaway status.

H. F. No. 2637, relating to towns; providing for temporary officeholders.

H. F. No. 3344, relating to courts; authorizing a combined jurisdiction program in the second and fourth judicial districts.

H. F. No. 3296, relating to state employment; shifting social security administrative duties from the department of employee relations to the public employees retirement association; classifying data on employee’s dependents as private.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Don Samuelson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2002 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<table>
<thead>
<tr>
<th>S.F. No.</th>
<th>H.F. No.</th>
<th>Session Laws Chapter No.</th>
<th>Time and Date Approved</th>
<th>Date Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2573</td>
<td></td>
<td>230</td>
<td>4:56 p.m. March 13</td>
<td>March 13</td>
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<tr>
<td>2695</td>
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<td>231</td>
<td>4:56 p.m. March 13</td>
<td>March 13</td>
</tr>
<tr>
<td>58</td>
<td></td>
<td>232</td>
<td>4:57 p.m. March 13</td>
<td>March 13</td>
</tr>
</tbody>
</table>
REPORTS OF STANDING COMMITTEES

Abrams from the Committee on Taxes to which was referred:

H. F. No. 2214, A bill for an act relating to a stadium; financing a major league professional baseball stadium; requiring private funding; providing for an interest-free loan; providing for a temporary tax-free zone on certain retail sales; creating a site selection commission; providing for the issuance of bonds; providing for disposition of the metrodome and the land it occupies under certain conditions; transferring funds from the assigned risk plan; requiring enhanced revenue sharing by major league baseball for act to take effect; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.67, by adding a subdivision; 297A.71, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 4A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [240B.01] [DEFINITIONS.]

(a) For purposes of this chapter, the following terms have the meanings given them.

(b) "Account" means the sports facilities account established under section 240B.03.

(c) "Commission" means the Minnesota sports facilities commission established under section 240B.02.

(d) "City" means a statutory or home rule charter city that contains or is designated by the commission to be the site for a sports facility.

(e) "Sports facility" or "sports facilities" means a baseball park for a major league baseball franchise, a football stadium for a national football league franchise, an arena for a national basketball association franchise, and an arena for a national hockey league franchise.
Sec. 2. [240B.02] [MINNESOTA SPORTS FACILITIES COMMISSION.]

Subdivision 1. [CREATION.] A Minnesota sports facilities commission is created to study the need for and to assist in the financing of professional and other sports facilities in the state. The commission consists of nine members, three appointed by the governor, three by the speaker of the house of representatives, and three by the subcommittee on committees of the senate committee on rules and administration.

Subd. 2. [ORGANIZATION.] The commission shall elect its chair and may hire an executive director and other staff as it determines necessary and appropriate to carry out the duties under this chapter. The commission may enter into contracts with vendors to provide services to carry out its duties. The commission is not subject to the restrictions on hiring new employees or entering contracts under Laws 2002, chapter 220, article 10, sections 37 and 38.

Subd. 3. [DUTIES.] The commission has the following powers and duties:

1) to study the feasibility and appropriateness of providing financing for professional sports facilities in the state of Minnesota, including a baseball park for a major league baseball franchise and a football stadium for a national football league franchise, as well as maintenance of and improvements to the facilities for franchises of the national hockey league and national basketball association;

2) to provide financial assistance for the acquisition, construction, or improvement of sports facilities in Minnesota by making payments from the sports facilities account established under section 240B.03 to cities that own and operate sports facilities;

3) to conduct an advisory referendum on the question of whether the state should assist in the construction of a major league baseball park, as provided under section 240B.04; and

4) to select a site for a baseball park, if it determines it is appropriate for the state to assist in financing a major league baseball park.

Subd. 4. [TRANSFER FROM METROPOLITAN SPORTS FACILITIES COMMISSION.] The metropolitan sports facilities commission shall transfer to the commission $1,000,000 from its accumulated reserves for deposit in the sports facilities account. The commissioner shall repay the metropolitan sports facilities commission as other money becomes available in the sports facilities account under section 240B.03.

Sec. 3. [240B.03] [SPORTS FACILITIES ACCOUNT.]

(a) A sports facilities account is established in the general fund. Receipts from the tax imposed by section 7 are deposited in the account. Amounts in the account are appropriated to the commission to pay the costs of its operations during fiscal year 2003. Any costs of the commission for its operations after fiscal year 2003 are subject to appropriation by law. This requirement does not apply to payments made under paragraph (b).

(b) The commission may enter an agreement with the city selected under section 240B.04 as the location for a baseball park to make payments out of money in the sports facilities accounts. These payments must be used to pay bonds issued by the city to finance the baseball park to the extent that facility and local tax revenues for that purpose are insufficient. An amount sufficient to make these payments is appropriated from the account to the commission. The amount of this appropriation is limited to the money in the account.

(c) Money in the account may also be used to pay for financial assistance to construct a football stadium and to make improvements to other sports facilities.
Sec. 4. [240B.04] [BASEBALL PARK.]

Subdivision 1. [ADVISORY REFERENDUM.] (a) The commission shall conduct an advisory referendum on the question of whether the state should assist in financing a major league baseball park and other sports facilities by imposing the sales tax collected under chapter 297A on sales of newspapers and magazines. This referendum must be held at the 2002 primary election.

(b) The form of the question is:

"Shall the state impose the sales tax on purchases of newspapers and subscriptions to magazines to help finance the construction of a baseball park for major league baseball and other facilities for sports in Minnesota? 

Yes .... No ...."

Subd. 2. [DETERMINATION OF WHETHER TO PROVIDE STATE FINANCING.] (a) On or before November 1, 2002, the commission shall determine whether to proceed with selecting a site and providing state financial assistance for a new major league baseball park. In making this determination, the commission must consider:

1. the economic costs to the state and local governments of providing the financial assistance; and

2. the public benefits of retaining major league baseball in Minnesota, including the value assigned by the public to the intangible community benefits of having a major league baseball franchise based in Minnesota.

(b) In evaluating the existence and magnitude of the intangible benefits under paragraph (a), clause (2), the commission may consider any available evidence, including the results of the advisory referendum conducted under subdivision 1. The commission may also conduct a scientific survey of Minnesota residents to evaluate the existence and amount of these intangible benefits.

(c) If the commission determines not to proceed with providing financial assistance for construction of a baseball park, it shall inform the commissioner of revenue that the provisions of section 7 are not effective.

Subd. 3. [SITE SELECTION.] (a) If the commission determines that it is appropriate to finance a baseball park under subdivision 2, it shall select a city to provide a site for the new baseball park.

(b) The required elements of the selection process are:

1. the commission shall accept bids from any interested city within the metropolitan area, as defined in section 473.121, subdivision 2;

2. acceptable bids must provide, at a maximum, for the provision of land for a site that is of adequate size for the baseball park and adjacent parking facilities to be made available to the team;

3. the site must be in a condition appropriate for development;

4. the bid must specify the intent of the city to own and operate the baseball park and demonstrate a reasonable capacity to do so;

5. in selecting a site, the commission shall consider, at least the following:

   (i) the adequacy of the size of the site relative to the preferred design for the baseball park;
(ii) the adequacy of existing public infrastructure serving the site, including parking and highway, road, and transit access to meet the demands created by events at the baseball park in combination with other uses or events in the area that create traffic, transit, and parking demands;

(iii) the cost of any likely infrastructure improvements for the facility;

(iv) potential development advantages including development of compatible mixed use, commercial, and housing developments in the area surrounding the baseball park;

(v) compatibility of surrounding uses with the baseball park; and

(vi) appropriate aesthetic considerations.

Subd. 4. [PRECONDITIONS FOR AGREEMENT.] Before the commission may enter an agreement with the city selected as the location for the baseball park to make payments under section 240B.03, paragraph (b), the commission must determine that:

(1) all of the requirements of sections 10 to 12 have been met by the city, the team, and major league baseball;

(2) the pledged facility and local tax revenues will be sufficient to pay the debt service on the bonds when the baseball park is in operation; and

(3) the city has established a baseball park improvement district to foster the development and continuing growth of compact, pedestrian-oriented, compatible mixed uses within buildings and blocks around the baseball park.

Sec. 5. [240B.05] [SALE OF BASEBALL FRANCHISE.]

Subdivision 1. [APPLICATION.] As a condition of the state assistance under section 240B.04, the owner of the major league professional baseball team must agree that before the owner sells a majority ownership interest in the team, the owner will attempt for a reasonable time to comply with subdivision 2 or 3.

Subd. 2. [COMMUNITY OWNERSHIP.] The owner of the team must work with the governor, the chair of the commission, and a community foundation or corporation on a plan to:

(1) transfer by gift to the foundation or corporation all ownership interests in the team;

(2) provide for sale of shares in the team by the foundation or corporation to the community, in a manner such that up to 49 percent of the voting stock may be dispersed so that no person owns more than five percent; and

(3) ensure that the franchise may not move from Minnesota without approval of three-fourths percent of the shares of voting stock.

Subd. 3. [LOCAL PRIVATE OWNERSHIP.] The owner of the team must attempt to reach an agreement on the sale of a majority interest in the team to one or more Minnesota buyers before attempting to sell the majority interest to others.

Subd. 4. [REPORT.] If the owner of the team attempts to sell a majority interest in the team, the chair of the commission must report to the legislature at the beginning of the next legislative session on efforts to work with the owner of the team to implement this section.

Sec. 6. Minnesota Statutes 2000, section 272.02, is amended by adding a subdivision to read:

Subd. 50. [BASEBALL PARK.] Real or personal property acquired, owned, leased, controlled, used, or occupied as a baseball park by a major league professional baseball team is exempt from taxation but the property is subject to special assessments levied by a political subdivision under chapter 429. The baseball park includes parking
facilities and land necessary to and part of the use of the baseball park. A use of the property in any manner different from its use as a baseball park must not be considered in determining the special benefit under chapter 429 received by the properties. Notwithstanding section 272.01, subdivision 2, or 273.19, real or personal property on the premises of the baseball park leased by the city that operates the baseball park to another person or entity for uses directly related to the operation of the baseball park is exempt from taxation regardless of the length of the lease. This subdivision expires one month after repayment of the bonds issued to finance the baseball park.

Sec. 7. Minnesota Statutes 2000, section 297A.68, subdivision 10, is amended to read:

Subd. 10. [PUBLICATIONS; PUBLICATION MATERIALS.] Tangible personal property that is used or consumed in producing any publication regularly issued at average intervals not exceeding three months is exempt, and any such publication is exempt, provided that the publication is not sold at retail. "Publication" includes, but is not limited to, a qualified newspaper as defined by section 331A.02, together with any supplements or enclosures. "Publication" does not include magazines and periodicals sold over the counter, and shoppers guides. Tangible personal property that is used or consumed in producing a publication does not include machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture, and fixtures used in the publication, or fuel, electricity, gas, or steam used for space heating or lighting.

Advertising contained in a publication is a nontaxable service and is exempt. Persons who publish or sell newspapers are engaging in a nontaxable service with respect to gross receipts realized from such news-gathering or news-publishing activities, including the sale of advertising. Supplements and enclosures to a newspaper are exempt provided that they are not also sold separately at retail.

[EFFECTIVE DATE.] This section is effective for sales made after June 30, 2003, but takes effect only if the Minnesota sports facilities commission determines to assist in the financing of a baseball park. If the commission determines not to assist in the financing by March 1, 2003, under the process and criteria in section 240B.04, this section does not take effect.

Sec. 8. Minnesota Statutes 2000, section 297A.71, is amended by adding a subdivision to read:

Subd. 28. [CONSTRUCTION MATERIALS; BASEBALL PARK.] Materials, supplies used or consumed in, and equipment incorporated into the construction or improvement of the baseball park constructed under sections 9 to 12, are exempt. This subdivision expires one year after the first major league baseball game is played in the baseball park.

Sec. 9. Minnesota Statutes 2001 Supplement, section 297A.94, is amended to read:

297A.94 [DEPOSIT OF REVENUES.]

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the department of revenue to administer and enforce the assessment and collection of the taxes.
(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and for fiscal year 2004 and thereafter, 88.5 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota zoological garden, the Como park zoo and conservatory, and the Duluth zoo.

(f) The revenue dedicated under paragraph (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (e) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (e) must be allocated for field operations.

(g) The commissioner shall deposit the revenues, including interest and penalties, collected from imposing the state tax under this chapter on sales of newspapers and subscriptions to magazines and periodicals in the sports facilities account established under section 240B.03.

[EFFECTIVE DATE.] This section is effective for sales made after June 30, 2003.

Sec. 10. [REVENUE BONDS; BASEBALL PARK.]

Subdivision 1. [AUTHORIZATION.] After the conditions set forth in subdivisions 3 to 7 and in section 12 have been met, the city selected by the sports facilities commission as the site of the baseball park shall issue revenue bonds in an amount not to exceed $170,000,000 to finance its share of the costs to design, acquire, construct, furnish, and equip a baseball park to be owned by the city and leased to a major league professional baseball team, as
provided in sections 10 to 12, and to pay the costs of issuance of the bonds. The bonds shall be sold and issued upon such terms and in such manner as the city determines to be in the best interests of the public. The final maturity of the bonds may be not later than June 30, 2035.

Subd. 2. [SECURITY; BONDS NOT PUBLIC DEBT.] The bonds and the interest thereon are payable solely from repayments by the team and the city in which the baseball park is located, revenues associated with the baseball park as provided in this act, payments by the state under Minnesota Statutes, section 240B.03, and any bond reserve established for the bonds. The bonds are not public debt, and the full faith, credit, and taxing powers of the state are not pledged for their payment.

Subd. 3. [LOCAL GOVERNING BODY APPROVAL.] The governing body of the city in which the baseball park is to be located must approve by two-thirds vote a resolution confirming that the city will own the baseball park and will be responsible for payment of one-half of the construction cost of the baseball park.

Subd. 4. [CONSTRUCTION OF BASEBALL PARK; MAXIMUM PRICE.] The city must have executed agreements that provide for the construction of a roof-ready baseball park to be owned by the city for a guaranteed maximum price not to exceed $325,000,000, and that requires performance bonds in an amount at least equal to 100 percent of the guaranteed maximum price to cover any costs incurred over and above the guaranteed maximum price, including, but not limited to, costs incurred by the city and loss of revenues resulting from incomplete construction on the substantial completion date. The agreement must include that at least one-half of the cost of the baseball park must be financed by the owner of the major league baseball team or by other private sector financing and that the major league baseball team is responsible for and must pay all cost overruns.

Subd. 5. [MANAGER.] The city must have entered into a contract with a manager to operate the baseball park for the use of the major league baseball team.

Subd. 6. [AGREEMENT; TEAM.] The city must have entered into a use agreement with the major league baseball team that provides:

(1) the major league baseball team must provide an amount not less than one-half of the construction costs in private cash support for the cost of the construction of the baseball park;

(2) the major league baseball team is responsible for and must pay for all cost overruns incurred in construction of the baseball park and has obtained a performance bond guaranteeing the construction price of and the time for completion of the baseball park;

(3) the major league baseball team will use the baseball park for all scheduled home preseason, regular season, and postseason games that the major league baseball team is entitled to play at home for not less than 30 years without an escape clause for the major league baseball team;

(4) the agreement shall specifically state that transfer of any portion of ownership or equity in the major league baseball team does not change any obligations, responsibilities, or privileges under the agreement, this section, or section 12;

(5) the major league baseball team will ensure that a portion of the tickets for its games are accessible and affordable;

(6) the major league baseball team will receive all revenue generated at the stadium except as otherwise specifically provided in this act;

(7) a listing of all revenue streams generated from use of the baseball park with a specification of what revenues are available to cover the major league baseball team operations, which accrue to the city and which are available for repayment of bonds.
(8) the major league baseball team must operate and maintain the stadium in excellent condition during the duration of the agreement. The city where the stadium is located shall verify that the team complies with this requirement;

(9) delineation of the responsibility for repair, maintenance, and replacement of equipment or property in the baseball park, including inspections by the city and a representative of the state;

(10) the major league baseball team shall provide a letter of credit in an amount that protects the public interest in the event of a default by the major league baseball team or a disruption in the season due to a player strike or lockout;

(11) the agreement must afford to the city the rights and remedies at law and equity that are deemed necessary and appropriate to provide reasonable assurance that the baseball team and the owner will comply with the agreements through the 30-year term. The remedies must include, but not be limited to, specific performance and injunctive relief, and may include any other equitable remedies, and any additional remedies or ownership, voting, or other security arrangements the city reasonably determines to be effective in ensuring the baseball team will play the required games in the baseball park throughout the 30-year term. The legislature intends that a material breach of an agreement between the city and professional athletic teams that commit to the long-term playing of major league games at public facilities is deemed to cause irreparable harm for which no adequate remedy at law is available and that the grant of equitable relief to remedy the breach is in the public interest and shall be liberally so construed;

(12) that the major league baseball team has the following obligations during the period of construction of a baseball stadium:

(i) the payment of the prevailing wage rate as defined in Minnesota Statutes, section 177.42, to all construction workers;

(ii) the provision to the city of a signed agreement between the major league baseball team and the construction unions that will work on the new stadium that mandates a no-strike and no-lockout period during construction of a baseball park;

(iii) all construction materials for the baseball park produced from or containing steel, so far as practicable, must use steel produced in the United States from taconite produced in Minnesota; and

(13) if there is a sale or transfer of ownership of the major league baseball team, the owner of the team shall pay to the state an amount equal to the state's share of the appreciated value of the team. The state's share shall be based on the value of the state investment in the baseball park and must be determined according to a formula included in the use agreement.

Subd. 7. [AMATEUR SPORTS.] The city must provide that the baseball park will be available for use by the state high school and amateur sports leagues when practicable.

Sec. 11. [FINANCING; CONSTRUCTION.]

Subdivision 1. [PRIVATE FUNDING; OWNERSHIP.] At least one-half of the cost of the baseball park must be funded by the owner of the major league professional baseball team or through other private sector funding. The city shall own the baseball park.

Subd. 2. [BASEBALL PARK ADMISSIONS TAX.] Notwithstanding any other law, the city may impose an admissions tax of up to ten percent of the sale price upon the granting, issuance, sales, or distribution, by any private or public person, association, or corporation, of the privilege of admission to activities at the baseball park. No other tax, surcharge, or governmental imposition, except the taxes collected under Minnesota Statutes, chapter 297A, may be levied by any other unit of government upon any such sale or distribution.
The admission tax must be stated and charged separately from the sales price so far as practicable and must be collected by the grantor, seller, or distributor from the person admitted. The admission tax collected must be used for repayment of the bonds issued under section 10. The tax is a debt from that person to the grantor, issuer, seller, or distributor, and the tax required to be collected is a debt owed by the grantor, issuer, seller, or distributor to the city, recoverable at law in the same manner as other debts. Every person granting, issuing, selling, or distributing tickets for such admissions may be required to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment and interest on late payments, as deemed necessary or expedient to assure the prompt and uniform collection of the tax.

Subd. 3. [FOOD AND BEVERAGE TAXES.] Notwithstanding Minnesota Statutes, section 477A.016, or any other limitation of law or charter, and in addition to other taxes previously authorized by law, the city may by ordinance impose liquor and food taxes not to exceed five percent at a retail level on any business within the confines of the local government unit. The ordinance must provide for dedication of the taxes or fees, after payment of collection and administrative expenses and refunds, to payment of principal and interest on bonds issued under section 10.

Subd. 4. [LODGING TAX.] Notwithstanding Minnesota Statutes, section 477A.016, or any other limitation of law or charter to the contrary, the city may, by ordinance, impose a lodging tax at a rate of no more than five percent on the gross receipts from the furnishing for consideration of lodging as described in Minnesota Statutes, section 469.190, subdivision 1. The city may impose this tax on all or part of the city, as provided in the ordinance and may provide for exempting hotels or motels based on the number of rooms they have available. The ordinance must provide for dedication of the taxes and other income from the tax, after payment of collection and administrative expenses and refunds, to payment of the principal and interest on bonds issued for the baseball park.

Subd. 5. [PARKING TAX, SURCHARGE, OR BOTH.] The city may, by ordinance, impose a parking tax or surcharge or both of not less than $2 per vehicle per event at the baseball park. The parking tax and surcharge apply to public and privately owned parking facilities in the area that the city determines in its ordinance provide event parking for the baseball park. The ordinance must provide for dedication of the taxes and other income from the tax, after payment of collection and administrative expenses and refunds, to payment of the principal and interest on bonds issued for the baseball park.

Subd. 6. [MEDIA OUTLET FEES.] The city may reserve for payment of bonds issued under section 10, fees charged to broadcast and other media for access to the facility to broadcast games or other events.

Subd. 7. [MAJOR LEAGUE BASEBALL GUARANTY.] Before bonds are issued under section 10, with the advice of the attorney general, the city must execute an agreement with the major league of which the baseball team is a member and with major league baseball that guarantees the continuance of a major league franchise in the metropolitan area for the greater of (i) 30 years or (ii) the term of the bonds issued to finance the baseball park.

Subd. 8. [REFERENDUM.] (a) Before any city imposes a tax under this section, the imposition of the tax must be approved by the voters of the city at a special election held on the first Tuesday in June 2002.

(b) Notwithstanding any statute, charter provision, or other law to the contrary, if the tax is approved in a referendum under this subdivision, an ordinance enacting the tax is not subject to another vote of the electorate by referendum, initiative, charter amendment, or in any other manner.

Subd. 9. [EXPIRATION; LOCAL OPTION TAXES.] When the bonds issued under section 10 have been defeased or retired, subdivisions 3 to 5 and the taxes authorized by them expire.

Sec. 12. [OBLIGATIONS; MAJOR LEAGUE PROFESSIONAL BASEBALL TEAM.]

Subdivision 1. [OBLIGATIONS PRIOR TO BOND ISSUANCE.] (a) The major league professional baseball team must fully and completely do its part to accomplish the requirements of paragraphs (b) and (c) before the Minnesota sports facilities commission may agree to make payment under Minnesota Statutes, section 240B.04 and before the city may issue bonds to finance the baseball park.
(b) The requirements are that:

(1) a signed lease for not less than 30 years between the city and the major league professional baseball team must be completed with no escape clauses;

(2) the major league professional baseball team has signed an agreement with the city agreeing to allow the baseball park to be available on non-game days for potential use by the University of Minnesota, Minnesota state colleges and universities, private colleges and universities, the state high school league, the city for community events, and the Minnesota amateur sports commission;

(3) the major league of which the baseball team is a member and major league baseball have both executed an agreement with the city that guarantees the continuance of a major league franchise in the metropolitan area for the greater of (i) 30 years from the date of the agreement or (ii) the term of the bonds under section 10;

(4) the major league professional baseball team and major league baseball have signed an agreement with the city to cooperate in maintaining the facility as a smoke-free facility; and

(5) the major league professional baseball team has agreed to make all reasonable efforts to ensure that businesses owned by socially disadvantaged persons are awarded contracts for construction and operation of the baseball park in proportion to the number of qualified businesses owned by socially disadvantaged persons in the metropolitan area. In addition, the team has agreed to make all reasonable efforts to ensure that employment of socially disadvantaged persons for the construction or operation of the baseball park will be proportionate to the number of qualified workers who are socially disadvantaged persons in the metropolitan area. For the purposes of this clause, "socially disadvantaged persons" is as defined in Minnesota Rules, part 1230.0150, subpart 24. The local unit of government must report to the legislature annually on the implementation of this clause.

(c) The major league baseball team must sign, as a condition of receiving any public assistance, a contract with the city under which the city would obtain from the team the rights to the control and use of the team name and logo in the event that the team relocates to another state. Under such a contract, the team must notify the city within 24 hours of signing an agreement to relocate, and at midnight immediately following notification, all income from existing contracts for the use of the team name and logo and all team property with the team name and logo, other than personal property of team members and principals, will become the property of the local government unit.

Subd. 2. [DESIGN AND CONSTRUCTION.] (a) The major league professional baseball team shall design and construct the baseball park and is responsible for all cost overruns that may occur. Before the design process is complete and construction begins, the city and the team must hold at least one public hearing on the proposed design. All funds appropriated to the city under this act shall be managed by the city and made available to the team as the team deems necessary for construction purposes.

(b) All construction materials for the baseball park produced from or containing steel, so far as practicable, must use steel produced in the United States from taconite produced in Minnesota. The city shall establish and impose on the major league professional baseball team appropriate compliance procedures.

Subd. 3. [OBLIGATIONS DURING CONSTRUCTION.] The major league professional baseball team during the period of construction of a baseball park must:

(1) pay the prevailing wage rate as defined in Minnesota Statutes, section 177.42, to all construction workers;

(2) provide to the city a signed agreement between the major league professional baseball team and the construction unions that will work on the new baseball park that mandates a no-strike and no-lockout period during construction of the baseball park; and

(3) pay any cost overruns that occur during the construction period.
Sec. 13. [BASEBALL PARK; LIQUOR LICENSE.]

The city in which the baseball park is located may issue an intoxicating liquor license for the premises of the baseball park. This license is in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the license authorized under this section.

Sec. 14. [CONDOMINIUM.]

The city selected to be the location of the baseball park may, by itself or together with another owner, and any other public or private person or entity, as to real or personal property comprising or appurtenant or ancillary to the baseball park, act as a declarant and establish a condominium or leasehold condominium under Minnesota Statutes, chapter 515A, or as a common interest community or leasehold common interest community under Minnesota Statutes, chapter 515B, and may grant, establish, create, or join in other or related easements, agreements, and similar benefits and burdens that the county may deem necessary or appropriate, and may exercise any and all rights and privileges, and assume obligations under them as a declarant, unit owner, or otherwise, insofar as practical and consistent with this act. The city may be a member of an association and the chair, any members of its governing body, and any officers and employees of the local unit of government may serve on the board of an association under Minnesota Statutes, chapter 515A or 515B.

Sec. 15. [OLYMPIC BID; FACILITY CONSTRUCTION.]

The governor must evaluate: (1) the feasibility of Minnesota preparing a bid to host the 2012 or future summer Olympics; and (2) the possibility that hosting the 2012 or future summer Olympics may result in sources other than the state or a local governmental unit constructing facilities that could be used by Minnesota professional sports teams after completion of the Olympics.

If the governor determines that preparation of a bid to host the 2012 or future Olympics could be cost beneficial to the state, the governor, in consultation with appropriate persons in the public and private sector, must take steps necessary to begin bid preparation."

Delete the title and insert:

"A bill for an act relating to a baseball park; financing a major league baseball park; creating a Minnesota sports facilities commission; directing a transfer from the metropolitan sports commission; establishing a sports facilities account; requiring a statewide advisory referendum on state assistance on financing a major league baseball park; requiring a determination of whether to provide state financing; providing a process for site selection; requiring agreements and preconditions for agreements; providing a property tax exemption for the baseball park; extending the sales tax to certain sales of newspapers and magazines if the state determines to assist in financing the baseball park; exempting construction materials for the baseball park from the sales tax; authorizing local revenue bonds; requiring a guaranteed maximum price on the baseball park; requiring one-half of baseball park costs to be privately funded; authorizing city taxes on food, beverages, lodging, and admission subject to a local referendum; authorizing a parking tax or surcharge; authorizing reservation of media outlet fees; requiring a guaranty from major league baseball; requiring obligations of the major league baseball team; authorizing an additional intoxicating liquor license; authorizing the establishment of a condominium; requiring evaluation of an olympic bid; appropriating money; amending Minnesota Statutes 2000, sections 272.02, by adding a subdivision; 297A.68, subdivision 10; 297A.71, by adding a subdivision; Minnesota Statutes 2001 Supplement, section 297A.94; proposing coding for new law as Minnesota Statutes, chapter 240B."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means without further recommendation.

The report was adopted.
Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2550, A bill for an act relating to public safety; modifying emergency 911 telephone system provisions to establish emergency 911 telecommunications system; amending Minnesota Statutes 2000, sections 403.01; 403.02, subdivisions 3, 6, 7; by adding subdivisions; 403.05; 403.06; 403.07; 403.08; 403.09; 403.10, subdivision 1; 403.11, subdivisions 3, 4, by adding a subdivision; 403.113, subdivision 1; Minnesota Statutes 2001 Supplement, section 403.11, subdivision 1; repealing Minnesota Statutes 2000, sections 403.04; 403.11, subdivision 2; 403.113, subdivision 5; 403.12, subdivision 1; 403.13; 403.14; Minnesota Rules, parts 1215.0400; 1215.0600; 1215.0700; 1215.1200, subpart 3; 1215.1500.

Reported the same back with the following amendments:

Page 7, delete lines 21 to 23
Page 10, delete lines 20 to 23
Page 10, line 24, delete "13" and insert "12"
Page 13, lines 9 to 11, delete the new language
Page 13, line 34, delete "effective date and other"
Page 14, line 2, delete everything after "services" and insert "provided after July 1, 2001"
Page 14, delete line 3
Page 14, line 4, delete everything before the period
Page 14, after line 15, insert:

"Sec. 15. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

**Subd. 3a. [TIMELY CERTIFICATION.]** A certification must be submitted to the commissioner of administration no later than two years after commencing a new or additional eligible 911 service. Any wireless or wireline telecommunications service provider incurring reimbursable costs under this section at any time before January 1, 2003, may certify those costs for payment to the commissioner of administration according to this section for a period of 90 days after January 1, 2003. During this period, the commissioner of administration shall reimburse any wireless or wireline telecommunications service provider for approved, certified costs without regard to any contrary provision of this subdivision.

Sec. 16. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

**Subd. 3b. [CERTIFICATION.]** All wireless and wireline telecommunications service providers shall submit a self-certification form signed by an officer of the company to the department of administration with invoices for payment of an initial or changed service described in the service provider’s 911 contract. The self-certification must affirm that the 911 service contracted for is being provided and the costs invoiced for the service are true and correct. All certifications are subject to verification and audit.

Sec. 17. Minnesota Statutes 2000, section 403.11, is amended by adding a subdivision to read:

**Subd. 3c. [AUDIT.]** If the commissioner of administration determines that an audit is necessary to document the certification described in subdivision 3b, the wireless or wireline telecommunications service provider shall contract with an independent certified public accountant to conduct the audit, which must be conducted according to generally accepted accounting principles. The wireless or wireline telecommunications service provider is responsible for any costs associated with the audit."
Page 14, line 25, after "section" insert "403.11 or"

Page 15, line 28, delete "403.11."

Page 15, line 29, delete "subdivision 2;"

Page 15, line 30, before the period, insert "effective the day following final enactment"

Page 15, after line 30, insert:

"(b) Minnesota Statutes 2000, section 403.11, subdivision 2, is repealed effective January 1, 2003."

Page 15, line 31, delete "(b)" and insert "(c)"

Page 15, line 32, before the period, insert "effective the day following final enactment"

Page 15, delete lines 34 to 36 and insert "Sections 1 to 13 and 15 to 20 are effective the day following final enactment. Section 14 is effective January 1, 2003."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "a subdivision" and insert "subdivisions"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2573, A bill for an act relating to real estate; filling in an inadvertent omission for a temporary increase in the surcharge for filing and recording certain documents to fund the real estate task force; amending Minnesota Statutes 2001 Supplement, sections 508.82, subdivision 1; 508A.82, subdivision 1.

Reported the same back with the following amendments:

Page 5, after line 12, insert:

"Sec. 3. Laws 2001, First Special Session chapter 10, article 2, section 98, is amended to read:

Sec. 98. [WORK PLAN APPROPRIATIONS.]

(a) $650,000 is appropriated from the surcharge collected under Minnesota Statutes, section 357.18, subdivision 3, to the legislative coordinating commission, to be made available to the real estate task force established in accordance with Laws 2000, chapter 391, for the expenses of the task force in carrying out the work plan as described in the January 15, 2001, task force report to the legislature. This appropriation is available until June 30, 2003, and is to be administered at the direction of the chair of the task force, subject to the prior approval of the task force.
(b) $500,000 is appropriated from the surcharge collected under Minnesota Statutes, section 357.18, subdivision 3, to the legislative coordinating commission, to be made available to the task force for the development and implementation of pilot electronic real estate projects in diverse counties as described in the January 15, 2001, task force report to the legislature. This appropriation is available until June 30, 2004.

Sec. 4. [EXTENSION OF EFFECTIVE DATE.]

The effective date of the amendment to Minnesota Statutes, section 357.18, subdivision 3, contained in Laws 2001, First Special Session chapter 10, article 2, section 77, is extended until June 30, 2004.

Page 5, line 13, delete "3" and insert "5"

Page 5, delete section 4 and insert:

"Sec. 6. [EFFECTIVE DATES AND APPLICATION.]"

The amendments made by sections 1 and 2 are effective until June 30, 2004, for documents last acknowledged ten or more days after the date of final enactment of this act; or filed 45 days or more after the date of final enactment. Sections 3 to 5 are effective the day following final enactment.

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "extending the effective date for the surcharges;"

Page 1, line 7, before the period, insert "; Laws 2001, First Special Session chapter 10, article 2, section 98"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2761, A bill for an act relating to state government; creating the office of state treasurer; amending Minnesota Statutes 2000, section 43A.18, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 7.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2000, section 4.06, is amended to read:

4.06 [VACANCY; SUCCESSION; DISABILITY.]

(a) When a vacancy occurs, from any cause whatever, in the office of governor, the lieutenant governor shall become governor and the last duly elected president of the senate shall become lieutenant governor for the remainder of the term. When a vacancy occurs, from any cause whatever, in the office of governor and in the office of lieutenant governor, the president of the senate shall become governor for the remainder of the term. If there be no president of the senate, then the speaker of the house of representatives shall become governor for the remainder of the term; or if there be none, then the secretary of state, or the auditor, or the treasurer, or the attorney general, in that order, shall upon resignation from office, become governor for the remainder of the term.
(b) In case of the death or other failure to take office of the governor-elect, the lieutenant governor-elect shall become governor from the same time and in the same manner and for the same term as provided for the governor-elect. In case of the death or other failure to take office of both the governor-elect and lieutenant governor-elect, the last duly elected president of the senate, or in the case of death or other failure to take office, the last duly elected speaker of the house of representatives, or in the case of death or other failure to take office, the secretary of state-elect, or under the same circumstances the auditor-elect, the treasurer-elect or the attorney general-elect, in that order shall become governor from the same time and in the same manner and for the same term as provided for the governor-elect.

(c) If the governor transmits to the president of the senate and the speaker of the house of representatives a written declaration of an inability to discharge the powers and duties of the office of governor, and until the governor transmits a written declaration to the contrary, the powers and duties of the governor shall be discharged by the lieutenant governor.

(d) The governor may be declared unable to discharge the powers and duties of the office if a declaration is signed by four out of five of the following persons and transmitted to the president of the senate and the speaker of the house of representatives: the chief justice of the supreme court, the lieutenant governor, the governor’s chief of staff, the governor’s personal physician, and a member of the governor’s cabinet designated in advance by the governor. If no cabinet member has been designated, three out of four shall be sufficient. The lieutenant governor shall then discharge the powers and duties of the office of governor.

(e) The declaration remains in effect until the governor transmits to the president of the senate and the speaker of the house of representatives a written declaration that no inability exists, unless four out of five of the persons described in paragraph (d), or three out of four if no cabinet member has been designated, sign and transmit to the president of the senate and the speaker of the house of representatives within four days of the governor’s declaration a declaration that the governor is unable to discharge the powers and duties of the office. In that event, the lieutenant governor shall continue to discharge the duties of the office until the legislature decides the issue, assembling within 48 hours for that purpose if not in session. If the legislature, within 21 days after receipt of the declaration that the governor is unable to discharge the powers and duties of the office or, if the legislature is not in session, within 21 days after being required to assemble, determines by two-thirds vote of both houses that the governor is unable to discharge the powers and duties of the office, the lieutenant governor shall continue to discharge the powers and duties of the office. Otherwise, the governor shall resume the powers and duties of the office."

Page 1, line 12, after the period, insert "Personnel, powers, or duties of the office of state treasurer may not be transferred to another agency under authority of section 16B.37 or other law."

Page 1, after line 12, insert:

"Sec. 3. Minnesota Statutes 2000, section 8.05, is amended to read:

8.05 [FORMS PREPARED; OPINIONS.]

The attorney general shall prepare forms for bonds and other contracts and instruments for the use of state officials, boards, and commissions and give legal advice in all matters relating to their official duties, whenever required by the governor, auditor, treasurer, or secretary of state, or any board or commission created by law. When required by either house of the legislature the attorney general shall give a written opinion upon any question of law. The attorney general similarly shall give a written opinion upon any question of law submitted by a permanent or interim committee or commission of the legislature or of either house of the legislature, including but not limited to an interim committee of the legislature created by law for a county containing a city of the first class."
Sec. 4. Minnesota Statutes 2000, section 10.01, is amended to read:

10.01 [SPACE FOR CONSTITUTIONAL OFFICES; ADDITIONAL DUTIES.]

The governor, secretary of state, auditor, treasurer, and attorney general shall keep their offices in rooms provided for them, respectively, in the area known as the capitol, or as the capitol complex, or as the capitol area; and, in addition to the duties heretofore prescribed, shall severally render such other services and be subject to such further obligations as are required of or imposed upon them by law.

Sec. 5. Minnesota Statutes 2000, section 11A.08, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] There is created an investment advisory council consisting of 18 members. Ten of these members shall be experienced in general investment matters. They shall be appointed by the state board. One member is the state treasurer. The other seven members shall be: the commissioner of finance; the executive director of the Minnesota state retirement system; the executive director of the public employees retirement association; the executive director of the teachers retirement association; a retiree currently receiving benefits from the postretirement investment fund; and two public employees who are active members of funds whose assets are invested by the state board. The retiree and the public employees shall be appointed by the governor for four-year terms."

Page 2, after line 10, insert:

"Sec. 7. Minnesota Statutes 2000, section 204B.11, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT; DISHONORED CHECKS; CONSEQUENCES.] Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in Congress, judge of the supreme court, judge of the court of appeals, or judge of the district court, $300;

(b) for the office of senator in Congress, $400;

(c) for office of senator or representative in the legislature, $100;

(d) for a county office, $50; and

(e) for the office of soil and water conservation district supervisor, $20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the state treasurer.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing
officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 332.50. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Sec. 8. Minnesota Statutes 2000, section 204D.10, subdivision 2, is amended to read:

Subd. 2. [PARTY PRIMARY; TEN PERCENT REQUIREMENT.] If at the state primary any individual seeking a major political party's nomination for an office receives a number of votes equal to ten percent of the average of the votes cast at the last state general election for state officers of that major political party within the district for which the office is voted, then all candidates of that major political party who receive the highest vote for an office are the nominees of that major political party. If none of the candidates of a major political party receive the required ten percent, then no candidates are nominated, and all the candidates of that major political party may be nominated by nominating petition as provided in sections 204B.07 to 204B.09. For the purposes of this subdivision, "state officers" mean the governor, lieutenant governor, secretary of state, state auditor, state treasurer, and attorney general.

Sec. 9. Minnesota Statutes 2000, section 209.01, subdivision 2, is amended to read:

Subd. 2. [STATEWIDE OFFICE.] For purposes of this chapter "statewide office" means the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, chief justice or associate justice of the supreme court, judge of the court of appeals, United States senator, or presidential elector."

Page 2, line 19, delete "3" and insert "10"

Renumber the sections in sequence and correct internal cross-references

Delete the title and insert:

"A bill for an act relating to state government; creating the office of state treasurer; amending Minnesota Statutes 2000, sections 4.06; 8.05; 10.01; 11A.08, subdivision 1; 43A.18, subdivision 4; 204B.11, subdivision 1; 204D.10, subdivision 2; 209.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 7."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 3587. A bill for an act relating to real property; providing for the electronic recording and authentication of certain documents as part of a pilot project; delaying the expiration date of the electronic real estate filing task force; amending Minnesota Statutes 2000, section 507.093; Minnesota Statutes 2001 Supplement, section 507.24, subdivision 2; Laws 2000, chapter 391, section 1, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.
INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Mulder introduced:

H. F. No. 3692, A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for planning and constructing telecommunications delivery systems on campuses of Minnesota state colleges and universities.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Paulsen, Buesgens and Seagren introduced:

H. F. No. 3693, A bill for an act relating to airports; adding members to the metropolitan airports commission; amending Minnesota Statutes 2000, sections 473.604, subdivision 1; 473.605, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Davids introduced:

H. F. No. 3694, A bill for an act relating to water; limiting water appropriation permits for animal feedlots.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Kahn; McGuire; Greiling; Evans; Clark, K.; Kelliher; Wagenius; Biernat; Hausman; Johnson, S.; Walker; Folliard; Dibble; Dorn; Dawkins and Rukavina introduced:

H. F. No. 3695, A resolution urging Congress to oppose implementation of a national missile defense system and to redirect funds towards real security needs, and for other purposes.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Mulder introduced:

H. F. No. 3696, A bill for an act relating to education; allowing licensed elementary school teachers to provide instruction at home; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Policy.
MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2766, A bill for an act relating to motor vehicle fuel franchises; removing an expiration date; amending Minnesota Statutes 2001 Supplement, section 80C.147.

PATRICKE.FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3189, A bill for an act relating to motor vehicles; defining street-sweeping vehicles as special mobile equipment for vehicle registration purposes; amending Minnesota Statutes 2000, section 168.011, subdivision 22.

PATRICKE.FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3584, A bill for an act relating to judgments; changing the formula for certain calculations; amending Minnesota Statutes 2000, section 549.09, subdivision 1.

PATRICKE.FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2531, A bill for an act relating to health; regulating hospice care providers; providing criminal penalties; amending Minnesota Statutes 2000, sections 13.381, subdivision 10; 144A.43, subdivisions 1, 3, 4; 144A.45, subdivisions 1, 2; 144A.46, subdivisions 3a, 3b, 4; 144A.4605, subdivisions 2, 3; 145C.01, subdivision 7; 157.17, subdivision 2; 609.7495, subdivision 1; 626.5572, subdivision 6; Minnesota Statutes 2001 Supplement, section 144A.4605, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2000, section 144A.48.

PATRICKE.FLAHAVEN, Secretary of the Senate
CONCURRENCE AND REPASSAGE

Goodno moved that the House concur in the Senate amendments to H. F. No. 2531 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2531, A bill for an act relating to health; regulating hospice care providers; providing criminal penalties; amending Minnesota Statutes 2000, sections 13.381, subdivision 10; 144A.43, subdivisions 1, 3, 4; 144A.45, subdivisions 1, 2; 144A.46, subdivisions 3a, 3b, 4; 144A.4605, subdivisions 2, 3; 145C.01, subdivision 7; 157.17, subdivision 2; 609.7495, subdivision 1; 626.5572, subdivision 6; Minnesota Statutes 2001 Supplement, section 144A.4605, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 2000, section 144A.48.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dibble  Holberg  Leppik  Otremba  Stanek
Abrams  Dorman  Holsten  Lieder  Ozment  Stang
Anderson, B.  Dorn  Howes  Lindner  Paulsen  Swepinski
Anderson, I.  Eastlund  Huntley  Lipman  Pawlenty  Swenson
Bakk  Entenza  Jacobson  Mahoney  Paymar  Sykora
Bernardy  Erhardt  Jaros  Mares  Pelowski  Thompson
Biernat  Erickson  Jennings  Mariani  Penas  Tingelstad
Bishop  Evans  Johnson, J.  Marko  Peterson  Vanderveer
Blaine  Finseth  Johnson, R.  Marquart  Pugh  Wagenius
Boudreau  Folliaard  Johnson, S.  McLero  Rhodes  Walker
Bradley  Fuller  Jordan  McGuire  Rifenberg  Walz
Buesgens  Gerlach  Juhnke  Milbert  Rukavina  Wasilik
Carlson  Gleason  Kuhn  Molnau  Ruth  Westerberg
Cassell  Goodno  Kalls  Mulder  Schumacher  Wilkin
Clark, J.  Goodwin  Kelliher  Mullery  Seagren  Winter
Clark, K.  Greiling  Kielkucki  Murphy  Seifert  Wolf
Daggett  Gunther  Knoblach  Ness  Sertich  Spk. Sviggum
Davids  Haas  Koskinen  Nornes  Skoe
Davnie  Hackbarth  Kubly  Olson  Skoglund
Dawkins  Harder  Kuiske  Opatz  Slawik
Dehler  Hilstrom  Larson  Osskopp  Smith
Dempsey  Hilty  Leighton  Ostoff  Solberg

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2727, 2115, 2457, 2459, 2550, 3055 and 2363.

Patrick E. Flahaven, Secretary of the Senate
Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3172, 2546, 2764, 2614, 3054, 2933 and 3352.

PATRICKE. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2727, A bill for an act relating to natural resources; modifying land acquisition procedures; modifying certain local planning regulations; adding to and deleting from certain state parks and state recreation areas; establishing the Cuyuna Lakes state trail; restricting the taking of fish on certain waters; authorizing public and private sales, conveyances, and exchanges of certain state land; modifying provisions for sale of tax-forfeited land; appropriating money; amending Minnesota Statutes 2000, sections 84.0272; 85.015, by adding a subdivision; 97C.025; 282.018, subdivision 1; 394.36, by adding a subdivision; 462.357, by adding a subdivision.

The bill was read for the first time.

Peterson moved that S. F. No. 2727 and H. F. No. 3025, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2115, A bill for an act relating to motor vehicles; regulating dealers; clarifying licensed motor vehicle dealer bonding requirements; amending Minnesota Statutes 2000, section 168.27, subdivision 24.

The bill was read for the first time.

Workman moved that S. F. No. 2115 and H. F. No. 1885, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2457, A bill for an act relating to civil commitment; conforming certain standards; authorizing the court to commit certain persons with mental illnesses to community hospitals; requiring the commissioner of human services to provide a report to the legislature on the mental health system; amending Minnesota Statutes 2000, sections 253B.05, subdivision 2; 253B.07, subdivision 2b; Minnesota Statutes 2001 Supplement, section 253B.09, subdivision 1.

The bill was read for the first time.

Greiling moved that S. F. No. 2457 and H. F. No. 2735, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2459, A bill for an act relating to health; modifying requirements for supplemental nursing services agencies; providing for revocation of supplemental nursing services agency's registration if the agency supplies persons with illegal diplomas to health care facilities; providing for revocation procedures; amending Minnesota Statutes 2001 Supplement, sections 144A.70, subdivision 6; 144A.71, subdivision 2; 144A.72, subdivision 1, by adding subdivisions; 144A.74.

The bill was read for the first time.
Bradley moved that S. F. No. 2459 and H. F. No. 2664, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2550, A bill for an act relating to human services; amending provisions relating to special education; modifying consent requirements for billing medical assistance and MinnesotaCare for covered individual education plan services; amending Minnesota Statutes 2000, sections 125A.03; 125A.21, subdivision 2; 125A.27, subdivision 10; 125A.43; 125A.76, subdivision 7; 256B.0625, subdivision 26; Minnesota Statutes 2001 Supplement, section 125A.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 125A.

The bill was read for the first time.

Bradley moved that S. F. No. 2550 and H. F. No. 2635, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3055, A bill for an act relating to the metropolitan council; clarifying the jurisdiction of the metropolitan transit police; authorizing metropolitan transit police officers to apply for and execute search warrants; amending Minnesota Statutes 2000, sections 473.407, subdivisions 1, 2, 3; 626.05, subdivision 2; Minnesota Statutes 2001 Supplement, sections 626.11; 626.13; repealing Minnesota Statutes 2000, section 473.407, subdivision 4a.

The bill was read for the first time.

Stanek moved that S. F. No. 3055 and H. F. No. 3080, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2363, A bill for an act relating to insurance; limiting the use of credit information; amending Minnesota Statutes 2000, section 72A.20, by adding a subdivision.

The bill was read for the first time.

Davids moved that S. F. No. 2363 and H. F. No. 2492, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3172, A bill for an act relating to crimes; requiring a ten-year conditional release period when a person has a previous sex offense conviction regardless of the state in which it occurred; making it a ten-year felony when a person commits certain prohibited acts when the act is committed with sexual or aggressive intent; defining aggravated harassing conduct to include acts of criminal sexual conduct as predicate offenses for a pattern of harassing conduct; prescribing penalties; amending Minnesota Statutes 2000, sections 609.109, subdivision 7; 609.749, subdivisions 1a, 3; Minnesota Statutes 2001 Supplement, section 609.749, subdivisions 4, 5.

The bill was read for the first time and referred to the Committee on Ways and Means.

S. F. No. 2546, A bill for an act relating to local government; permitting the cities of Rockville and Pleasant Lake and the town of Rockville to jointly develop a consolidation plan; permitting the cities of New London and Spicer and the town of New London to jointly develop a consolidation plan; requiring hearings, approval by the governing bodies, and referendum.

The bill was read for the first time.

Stang moved that S. F. No. 2546 and H. F. No. 2933, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.
S. F. No. 2764, A bill for an act relating to human services licensing; modifying standards for reporting incidents in licensed programs serving persons with mental retardation or related conditions; amending Minnesota Statutes 2000, sections 245B.02, subdivision 10; 245B.05, subdivision 7; 245B.07, subdivision 1; 626.557, subdivision 14.

The bill was read for the first time.

Abeler moved that S. F. No. 2764 and H. F. No. 3091, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2614, A bill for an act relating to foster care; requiring disclosure of an individual's communicable disease to a foster care provider; modifying provisions relating to child custody; amending Minnesota Statutes 2001 Supplement, sections 260C.212, subdivision 1; 260C.317, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 245A.

The bill was read for the first time.

Sykoram moved that S. F. No. 2614 and H. F. No. 2932, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3054, A bill for an act relating to the environment; modifying provisions relating to petrofund contractors and consultants; modifying application requirements for certain petrofund reimbursements; amending Minnesota Statutes 2000, sections 115C.02, subdivisions 5a, 5b; 115C.11.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 2933, A bill for an act relating to pollution; allowing installation of certain individual sewage treatment systems; appropriating money; amending Minnesota Statutes 2000, section 115.55, by adding a subdivision.

The bill was read for the first time.

Howes moved that S. F. No. 2933 and H. F. No. 2889, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.


The bill was read for the first time and referred to the Committee on Ways and Means.

Pawlentymoved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.
MOTIONS FOR RECONSIDERATION

Abrams moved that the vote whereby H. F. No. 3618, as amended, was not passed on Thursday, March 14, 2002, be now reconsidered. The motion prevailed.

Abrams moved that the action whereby H. F. No. 3618, as amended, was given its third reading on Thursday, March 14, 2002, be now reconsidered.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Entenza and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dibble</th>
<th>Holsten</th>
<th>Lenczewski</th>
<th>Osthoff</th>
<th>Solberg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Dorn</td>
<td>Howes</td>
<td>Leppik</td>
<td>Otrema</td>
<td>Stang</td>
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<tr>
<td>Anderson, B.</td>
<td>Eastlund</td>
<td>Huntley</td>
<td>Lieder</td>
<td>Ozment</td>
<td>Swapinski</td>
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<tr>
<td>Anderson, I.</td>
<td>Entenza</td>
<td>Jacobson</td>
<td>Lindner</td>
<td>Paulsen</td>
<td>Swenson</td>
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<tr>
<td>Bakk</td>
<td>Erhardt</td>
<td>Jaros</td>
<td>Lipman</td>
<td>Pawlenty</td>
<td>Thompson</td>
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<tr>
<td>Bernardy</td>
<td>Erickson</td>
<td>Jennings</td>
<td>Mahoney</td>
<td>Paymar</td>
<td>Tingelstad</td>
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<td>Biernat</td>
<td>Evans</td>
<td>Johnson, J.</td>
<td>Mares</td>
<td>Pelowski</td>
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<td>Bishop</td>
<td>Finseth</td>
<td>Johnson, R.</td>
<td>Mariani</td>
<td>Penas</td>
<td>Vandeeve</td>
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<td>Blaine</td>
<td>Folliard</td>
<td>Johnson, S.</td>
<td>Marko</td>
<td>Peterson</td>
<td>Wagenius</td>
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<td>Boudreau</td>
<td>Fuller</td>
<td>Jordan</td>
<td>Marquart</td>
<td>Pugh</td>
<td>Walker</td>
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<td>Bradley</td>
<td>Gerlach</td>
<td>Juhnke</td>
<td>McElroy</td>
<td>Rhodes</td>
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<td>Buesgens</td>
<td>Gleason</td>
<td>Kahn</td>
<td>McGuire</td>
<td>Rifenberg</td>
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<td>Carlson</td>
<td>Goodno</td>
<td>Kalis</td>
<td>Milbert</td>
<td>Rukavina</td>
<td>Westerberg</td>
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<td>Cassell</td>
<td>Goodwin</td>
<td>Kelliher</td>
<td>Molnau</td>
<td>Ruth</td>
<td>Westrom</td>
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<td>Clark, J.</td>
<td>Greiling</td>
<td>Kielkucki</td>
<td>Mulder</td>
<td>Schumacher</td>
<td>Wilkin</td>
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<td>Clark, K.</td>
<td>Gunther</td>
<td>Knoblach</td>
<td>Mullery</td>
<td>Seagren</td>
<td>Winter</td>
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<td>Daggett</td>
<td>Haas</td>
<td>Koskinen</td>
<td>Murphy</td>
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<td>Davids</td>
<td>Hack Barth</td>
<td>Krinkie</td>
<td>Ness</td>
<td>Sertich</td>
<td>Workman</td>
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<td>Davnie</td>
<td>Harder</td>
<td>Kubly</td>
<td>Nornes</td>
<td>Skoe</td>
<td>Spk. Sviggum</td>
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<tr>
<td>Dawkins</td>
<td>Hilstrom</td>
<td>Kusle</td>
<td>Olson</td>
<td>Skoglund</td>
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<td>Dehler</td>
<td>Hilty</td>
<td>Larson</td>
<td>Opatz</td>
<td>Slawik</td>
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<tr>
<td>Dempsey</td>
<td>Holberg</td>
<td>Leighton</td>
<td>Osskopp</td>
<td>Smith</td>
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</table>

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

McGuire was excused for the remainder of today's session.

The question recurred on the Abrams motion and the roll was called. There were 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abrams</th>
<th>Blaine</th>
<th>Buesgens</th>
<th>Daggett</th>
<th>Dorman</th>
<th>Erickson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, B.</td>
<td>Boudreau</td>
<td>Cassell</td>
<td>Davids</td>
<td>Eastlund</td>
<td>Finseth</td>
</tr>
<tr>
<td>Bishop</td>
<td>Bradley</td>
<td>Clark, J.</td>
<td>Dempsey</td>
<td>Erhardt</td>
<td>Fuller</td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Anderson, I.</th>
<th>Bakk</th>
<th>Bernardy</th>
<th>Biernat</th>
<th>Carlson</th>
<th>Clark, K.</th>
<th>Davnie</th>
<th>Dehler</th>
<th>Dibble</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dorn</td>
<td>Entenza</td>
<td>Evans</td>
<td>Folliard</td>
<td>Gleason</td>
<td>Goodwin</td>
<td>Greiling</td>
<td>Hilstrom</td>
<td>Hilty</td>
<td>Jaros</td>
</tr>
<tr>
<td>Jennings</td>
<td>Johnson, R.</td>
<td>Johnson, S.</td>
<td>Juhnke</td>
<td>Kahn</td>
<td>Kalis</td>
<td>Kelliker</td>
<td>Koskinen</td>
<td>Kubly</td>
<td>Leighton</td>
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<tr>
<td>Lenczewski</td>
<td>Lieder</td>
<td>Mahoney</td>
<td>Mariani</td>
<td>Marquart</td>
<td>Milbert</td>
<td>Mullery</td>
<td>Murphy</td>
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<td>Sertich</td>
<td>Skoe</td>
<td>Skoglund</td>
<td>Solberg</td>
<td>Otremba</td>
</tr>
<tr>
<td>Thompson</td>
<td>Tinglestad</td>
<td>Wagenius</td>
<td>Walker</td>
<td>Wasiluk</td>
<td>Winter</td>
<td>Swi. S.</td>
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</tbody>
</table>

The motion prevailed.

The Speaker called Boudreau to the Chair.

Kuisle and Dorman moved to amend H. F. No. 3618, the third engrossment, as follows:

Page 22, line 19, delete "$51,000,000" and insert "$61,000,000"

Page 22, line 21, delete "$25,000,000" and insert "$30,000,000"

Page 22, line 26, delete "$26,000,000" and insert "$31,000,000"

Page 23, delete subdivisions 9 and 10

Page 24, line 1, delete "Transitway"

Page 24, line 2, delete everything before the second "for" and insert:

"For environmental review, engineering, real property acquisition, and construction of corridor improvements for bus rapid transit"

Page 24, line 3, delete "transitway"

Adjust amounts accordingly

Renumber or reletter in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The Speaker resumed the Chair.

The question was taken on the Kuisle and Dorman amendment and the roll was called. There were 76 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abrams  Dorn  Howes  Lipman  Pawlenty  Sykora
Anderson, B.  Eastlund  Jacobson  Mares  Pelowski  Tuma
Bishop  Erhardt  Jennings  Marquart  Penas  Vandeveer
Blaine  Erickson  Johnson, J.  McElroy  Peterson  Walz
Boudreau  Finseth  Johnson, R.  Molnau  Rhodes  Westerberg
Bradley  Fuller  Jordan  Mulder  Rifenberg  Westrom
Buesgens  Gerlach  Kielkucik  Ness  Ruth  Wilkin
Cassell  Goodno  Knoblach  Nornes  Seagren  Winter
Clark, J.  Gunther  Krickie  Olson  Siebert  Wolf
Daggett  Haas  Kubly  Osskopp  Smith  Workman
Davids  Harder  Kuisle  Osthoff  Stanek  Spk. Sviggum
Dempsey  Holberg  Leppik  Ozment  Stang  
Dorman  Holsten  Lindner  Paulsen  Swenson

Those who voted in the negative were:

Abeler  Dibble  Hilty  Leighton  Opatz  Solberg
Anderson, I.  Entenza  Huntley  Lenczewski  Otrema  Swapinski
Bakk  Evans  Jaros  Lieder  Paymar  Thompson
Bernardy  Folliaard  Johnson, S.  Mahoney  Pugh  Tingelstad
Biernat  Gleason  Juhnke  Mariani  Rukavina  Wagenius
Carlson  Goodwin  Kahn  Marko  Schumacher  Walker
Clark, K.  Gray  Kalis  McGuire  Sertich  Wasiluk
Davnie  Greiling  Kellher  Milbert  Skoe  
Dawkins  Hackbarth  Koskinen  Mullery  Skoglund  
Dehler  Hilstrom  Larson  Murphy  Slavik

The motion prevailed and the amendment was adopted.

H. F. No. 3618, as amended, was read for the third time.

POINT OF ORDER

Boudreau raised a point of order pursuant to section 124, paragraph 3, of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order not well taken.

H. F. No. 3618, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature with certain conditions; requiring certain studies and reports; authorizing sale of state bonds; canceling earlier appropriations and reducing bond authorizations; making technical corrections; making changes to statutes related to administration of the state's capital improvement program; requiring an inventory of state-owned land; providing a certain exemption from any moratorium on state professional or technical contracts; authorizing a lease of certain Minneapolis park and
recreation board land; modifying the wastewater infrastructure program; establishing a local road improvement account; prohibiting any action on the Dan Patch Commuter Rail Line; establishing a multiagency working group on mitigation of effects of DM&E rail project in southern Minnesota; authorizing the purchase of certain state park inholdings; appropriating money; amending Minnesota Statutes 2000, sections 13.462, subdivision 2; 16A.11, subdivision 6; 16A.501; 16A.86, subdivision 3; 16B.335, subdivision 3; 119A.45; 446A.072, subdivisions 1, 3, 6, 7, 8, 9, 11, 12, by adding subdivisions; Laws 1998, chapter 404, section 18, subdivision 4; Laws 2000, chapter 492, article 1, section 12, subdivision 7; Laws 2000, chapter 492, article 1, section 15, subdivision 4; Laws 2000, chapter 492, article 1, section 22, subdivisions 3, as amended, 4; Laws 2000, chapter 492, article 1, section 27; Laws 2001, First Special Session chapter 12, section 10; proposing coding for new law in Minnesota Statutes, chapters 16B; 174; repealing Minnesota Statutes 2000, section 446A.072, subdivisions 2, 4, 5, 10, 13.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abrams  Eastlund  Howes  Larson  Ozment  Stanek
Anderson, B.  Erhardt  Huntley  Leighton  Paulsen  Stang
Anderson, I.  Erickson  Jacobson  Lenczewski  Pawlenty  Swenson
Bernardy  Evans  Jaros  Leppik  Paymar  Sykora
Bishop  Finseth  Jennings  Lieder  Pelowski  Thompson
Blaine  Fuller  Johnson, J.  Mahoney  Penas  Tuma
Boudreau  Gerlach  Johnson, R.  Mares  Peterson  Vandeven
Bradley  Goodno  Johnson, S.  Marquart  Rhodes  Walz
Buesgens  Gray  Jordan  McElroy  Rifenberg  Wasiluk
Carlson  Gunther  Juhnke  Molnau  Rukavina  Westerberg
Cassell  Haas  Kalis  Murphy  Seagren  Wilkin
Clark, J.  Hakkarth  Kelliher  Ness  Seifert  Wolf
Daggett  Harder  Kielkucki  Nornes  Skoe  Workman
Davids  Hilstrom  Knoblach  Olson  Smith  Spk. Sviggum
Dempsey  Holberg  Kubly  Oshoff  Otremba  Solberg
Dorman  Holsten  Kuise  Ostromha  Solberg

Those who voted in the negative were:

Abeler  Dibble  Hilty  Marko  Schumacher  Walker
Bakk  Dom  Kahn  Mark  Sertich  Winter
Biernat  Entenza  Koskinen  Mulder  Skoglund  Swapsk
Clark, K.  Folliard  Krinke  Mullery  Slawik  Tinglestad
Davnie  Gleason  Lindner  Opatz  Tingelstad  Wagenius
Dawkins  Goodwin  Lipman  Oskopp 
Dehler  Greiling  Mariani  Pugh

Having received the constitutionally required three-fifth's vote, the bill was passed, as amended, and its title agreed to.

CALL OF THE HOUSE LIFTED

Tuma moved that the call of the House be suspended. The motion prevailed and it was so ordered.
S. F. No. 2932 was reported to the House.

Gerlach moved to amend S. F. No. 2932 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2000, section 115.06, is amended by adding a subdivision to read:

Subd. 4. [CITIZEN MONITORING OF WATER QUALITY.] (a) The agency may encourage citizen monitoring of ambient water quality for public waters by:

(1) providing technical assistance to citizen and local group water quality monitoring efforts;

(2) integrating citizen monitoring data into water quality assessments and agency programs, provided that the data adheres to agency quality assurance and quality control protocols; and

(3) seeking public and private funds to:

(i) collaboratively develop clear guidelines for water quality monitoring procedures and data management practices for specific data and information uses;

(ii) distribute the guidelines to citizens, local governments, and other interested parties;

(iii) improve and expand water quality monitoring activities carried out by the agency; and

(iv) continue to improve electronic and Web access to water quality data and information about public waters that have been either fully or partially assessed.

(b) This subdivision does not authorize a citizen to enter onto private property for any purpose.

(c) By January 15 of each odd-numbered year, the commissioner shall report to the senate and house of representatives committees with jurisdiction over environmental policy and finance on activities under this section.

(d) This subdivision shall sunset June 30, 2005."

Delete the title and insert:

"A bill for an act relating to the environment; encouraging citizen water quality monitoring; amending Minnesota Statutes 2000, section 115.06, by adding a subdivision."

Harder moved to amend the Gerlach amendment to S. F. No. 2932 as follows:

Page 2, after line 5, insert:

"(c) Nothing in this subdivision may be used as a cause of action in any legal action."

A roll call was requested and properly seconded.
Skoe moved that S. F. No. 2932 be re-referred to the Committee on Agriculture Policy.

A roll call was requested and properly seconded.

The question was taken on the Skoe motion and the roll was called. There were 16 yeas and 115 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Anderson, I.</th>
<th>Gray</th>
<th>Kubly</th>
<th>Marquart</th>
<th>Sertich</th>
<th>Westrom</th>
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<tr>
<td>Dawkins</td>
<td>Jennings</td>
<td>Lieder</td>
<td>Otrema</td>
<td>Skoe</td>
<td>Solberg</td>
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<tr>
<td>Finseth</td>
<td>Juhnke</td>
<td>Marko</td>
<td>Peterson</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dibble</th>
<th>Hilty</th>
<th>Leighton</th>
<th>Paulsen</th>
<th>Sykora</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Dorman</td>
<td>Holberg</td>
<td>Lenczewski</td>
<td>Pawlenty</td>
<td>Thompson</td>
</tr>
<tr>
<td>Anderson, B.</td>
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<td>Paymar</td>
<td>Tingelstad</td>
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<td>Walker</td>
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<tr>
<td>Blaine</td>
<td>Evans</td>
<td>Johnson, J.</td>
<td>McElroy</td>
<td>Rifenberg</td>
<td>Walz</td>
</tr>
<tr>
<td>Boudreau</td>
<td>Folliard</td>
<td>Johnson, R.</td>
<td>Milbert</td>
<td>Rukavina</td>
<td>Wasilk</td>
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<td>Bradley</td>
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<td>Johnson, S.</td>
<td>Molnau</td>
<td>Ruth</td>
<td>Westerberg</td>
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<td>Carlson</td>
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<td>Kahn</td>
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<td>Winter</td>
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<td>Cassell</td>
<td>Goodno</td>
<td>Kalis</td>
<td>Murphy</td>
<td>Seifert</td>
<td>Wolf</td>
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<tr>
<td>Clark, J.</td>
<td>Goodwin</td>
<td>Kelliher</td>
<td>Ness</td>
<td>Skoglund</td>
<td>Workman</td>
</tr>
<tr>
<td>Clark, K.</td>
<td>Greiling</td>
<td>Kielkucki</td>
<td>Nornes</td>
<td>Slawik</td>
<td>Spk. Sviggum</td>
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<tr>
<td>Daggett</td>
<td>Gunther</td>
<td>Knoblach</td>
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<td>Smith</td>
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<td>Davids</td>
<td>Haas</td>
<td>Koskinen</td>
<td>Oskopp</td>
<td>Stanek</td>
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<td>Davnie</td>
<td>Hack Barth</td>
<td>Krinkie</td>
<td>Opatz</td>
<td>Stang</td>
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<tr>
<td>Dehler</td>
<td>Harder</td>
<td>Kuisele</td>
<td>Ozment</td>
<td>Swenson</td>
<td></td>
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<tr>
<td>Dempsey</td>
<td>Hilstrom</td>
<td>Larson</td>
<td>Penas</td>
<td>Swenson</td>
<td></td>
</tr>
</tbody>
</table>

The motion did not prevail.

The question recurred on the Harder amendment to the Gerlach amendment and the roll was called. There were 50 yeas and 82 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Anderson, B.</th>
<th>Davids</th>
<th>Holberg</th>
<th>Lipman</th>
<th>Penas</th>
<th>Swenson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, I.</td>
<td>Dehler</td>
<td>Jennings</td>
<td>Mares</td>
<td>Rifenberg</td>
<td>Westrom</td>
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<tr>
<td>Bakk</td>
<td>Dorman</td>
<td>Johnson, J.</td>
<td>Marquart</td>
<td>Rukavina</td>
<td>Wolf</td>
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<tr>
<td>Blaine</td>
<td>Eastlund</td>
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<td>Ruth</td>
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</tr>
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<td>Boudreau</td>
<td>Finseth</td>
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<td>Hack Barth</td>
<td>Lieder</td>
<td>Olson</td>
<td>Solberg</td>
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</tr>
<tr>
<td>Daggett</td>
<td>Harder</td>
<td>Lindner</td>
<td>Oskopp</td>
<td>Stang</td>
<td></td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Erhardt</th>
<th>Howes</th>
<th>Leighton</th>
<th>Paulsen</th>
<th>Sykora</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Erickson</td>
<td>Huntley</td>
<td>Lenczowski</td>
<td>Pawlenty</td>
<td>Thompson</td>
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<td>Leppik</td>
<td>Paymar</td>
<td>Tingelstad</td>
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<td>Jaros</td>
<td>Mahoney</td>
<td>Pelowski</td>
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<td>Johnson, R.</td>
<td>Mariani</td>
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<td>Vandeveer</td>
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<td>McElroy</td>
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<tr>
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<td>Holsten</td>
<td>Larson</td>
<td>Ozment</td>
<td>Swapinski</td>
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</tbody>
</table>

The motion did not prevail and the amendment to the amendment was not adopted.

S. F. No. 2932 was read for the third time.

**MOTION FOR RECONSIDERATION**

Gerlach moved that the action whereby S. F. No. 2932 was given its third reading be now reconsidered. The motion prevailed.

The question recurred on the Gerlach amendment to S. F. No. 2932. The motion prevailed and the amendment was adopted.

S. F. No. 2932, A bill for an act relating to the environment; encouraging citizen water quality monitoring; amending Minnesota Statutes 2000, section 115.06, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 7 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Carlson</th>
<th>Dorman</th>
<th>Goodno</th>
<th>Howes</th>
<th>Kelliher</th>
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<td>Abrams</td>
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<td>Daggett</td>
<td>Erhardt</td>
<td>Gunther</td>
<td>Johnson, J.</td>
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<tr>
<td>Biernat</td>
<td>Davids</td>
<td>Erickson</td>
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<td>Leppik</td>
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<tr>
<td>Buesgens</td>
<td>Dibble</td>
<td>Gleason</td>
<td>Holsten</td>
<td>Kalis</td>
<td>Lieder</td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

Anderson, I.  Finseth  Kuisle  Skoe

The bill was passed, as amended, and its title agreed to.

S. F. No. 2971, A bill for an act relating to state government; state procurement; codifying references relating to competitive bidding for building and construction contracts; amending Minnesota Statutes 2000, section 16C.25; proposing coding for new law in Minnesota Statutes, chapter 16C.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abeler  Dorman  Holberg  Lenczewski  Paulsen  Swapinski
Abrams  Dom  Holsten  Leppik  Pawlenty  Swenson
Anderson, B.  Eastlund  Howes  Lieder  Paymar  Sykora
Anderson, I.  Entenza  Huntley  Lindner  Pelowski  Thompson
Bakk  Erhardt  Jacobson  Lipman  Mares  Tinglestad
Bernardy  Erickson  Jaros  Mahoney  Peterson  Tuma
Biernat  Evans  Jennings  Mornau  Pugh  Vandervoor
Bishop  Finseth  Johnson,  Marko  Rhodes  Wagenius
Blaine  Folliard  Johnson, R.  Marquart  Rifenberg  Walker
Boudreau  Fuller  Johnson, S.  Milbert  Ruth  Walz
Bradley  Gerlach  Jordan  Molnau  Schumacher  Welterberg
Carlson  Gleason  Juhnke  Mulder  Seagren  Westrom
Cassell  Goodno  Kahn  Mullery  Seifert  Wilkin
Clark, J.  Goodwin  Kalis  Ness  Skoe  Wolf
Clark, K.  Gray  Kelliker  Nornes  Skoglund  Workman
Daggett  Greiling  Kielkucki  Norsen  Slawik  Spk. Sviggum
Davids  Gunther  Knoblach  Olsip  Smith
Dawkins  Haas  Koskinen  Oskopp  Stoeber
Dehler  Harde  Kusle  Osthoff  Solberg
Dempsey  Hilstrom  Larson  Otremba  Stanek
Dibble  Hilty  Leighton  Ozment  Stang

Spk. Sviggum
Those who voted in the negative were:

Buesgens  Krinkie

The bill was passed and its title agreed to.

Goodno was excused for the remainder of today's session.

Dawkins was excused between the hours of 5:25 p.m. and 5:50 p.m.

S. F. No. 1072. A bill for an act relating to state government; designating the photograph "Grace" as the state photograph; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 11 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dempsey</th>
<th>Holberg</th>
<th>Lieder</th>
<th>Pawlenty</th>
<th>Swenson</th>
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<tr>
<td>Abrams</td>
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<td>Lindner</td>
<td>Pelowski</td>
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<td>Erhardt</td>
<td>Johnson, J.</td>
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<td>Rukavina</td>
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<td>Johnson, R.</td>
<td>Molnau</td>
<td>Ruth</td>
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<td>Johnson, S.</td>
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<td>Mullery</td>
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<td>Cassell</td>
<td>Gleason</td>
<td>Kielkucki</td>
<td>Olson</td>
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<td>Clark, J.</td>
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<td>Knoblach</td>
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<td>Slawik</td>
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<td>Davids</td>
<td>Haas</td>
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<td>Otremba</td>
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</tr>
<tr>
<td>Dehler</td>
<td>Harder</td>
<td>Leppik</td>
<td>Paulsen</td>
<td>Swapinski</td>
<td></td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

Greiling  Huntley  Krinkie  Lenczewski  Marko  Peterson
Hilstrom  Kelliher  Leighton  Mahoney  Paymar  

The bill was passed and its title agreed to.
S. F. No. 2834, A bill for an act relating to Steele county; permitting the appointment of the county recorder.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler    Dibble    Hackbart     Larson     Ostoff     Stang  
Abrams    Dorman    Hilstrom     Lenczewski Ozment     Swapinski  
Anderson, I. Dorn    Hilty       Leppik      Pelowski  Sykora  
Bakk      Entenza   Howes       Lieder      Penas      Thompson  
Bernardy  Erhardt   Huntley     Lindner     Peterson  Tingelstad  
Biernat   Erickson  Jacobson    Mahoney    Pugh      Tuma  
Bishop    Evans     Jaros       Mares      Rhodes     Wagenius  
Boudreau  Folliard  Jennings    Mariani     Rukavina  Walker  
Bradley   Fuller    Johnson, R.  Marko      Ruth      Walz  
Carlson   Gerlach   Johnson, S.  McElroy    Schumacher Westerberg  
Cassell   Gleason   Jordan      Milbert     Seagren     Wilkin  
Clark, K. Goodwin  Kahn       Mullery    Sertich     Wolf  Spk. Sviggum  
Daggett   Gray      Kalis       Murphy     Skoe      Skoglund  
Davnie    Greiling  Kellher     Ness       Skolberg   Solberg  
Dehler    Gunther   Koskinen    Nornes      Solberg   Stanek  
Dempsey   Haas      Kubly       Osskopp    Stanek   

Those who voted in the negative were:

Anderson, B. Harder    Krinke     Olson       Seifert    Winter  
Blaine     Holberg   Kuisle      Opatz      Slawik     Workman  
Buesgens  Holsten   Leighton    Otremba    Smith    
Clark, J. Johnson, J. Lipman    Paulsen    Swenson    
Davids    Juhnke    Marquart    Pawlenty    Vandeleer  
Eastlund  Kielkucki Mohlau     Paymar     Wasiluk   
Finseth   Knoblach  Mulder      Rifenberg  Westrom  

The bill was passed and its title agreed to.

H. F. No. 2882 was reported to the House.

Workman moved that H. F. No. 2882 be continued on the Calendar for the Day. The motion prevailed.

S. F. No. 3258, A bill for an act relating to state lands; providing for a land exchange with city of Garfield.

The bill was read for the third time and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dorman</th>
<th>Holsten</th>
<th>Lenczewski</th>
<th>Otremba</th>
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<td>Kubly</td>
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</table>

The bill was passed and its title agreed to.

The Speaker called Dempsey to the Chair.

Milbert was excused for the remainder of today's session.

S. F. No. 3154 was reported to the House.

Leighton offered an amendment to S. F. No. 3154.

**POINT OF ORDER**

McElroy raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Leighton amendment was not in order.

The Speaker resumed the Chair.

The Speaker ruled the point of order well taken and the Leighton amendment out of order.
Leighton appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 70 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler  Dehler  Harder  Lindner  Pawlenty  Tingelstad
Abrams  Dempsey  Holberg  Lipman  Penas  Tuma
Anderson, B.  Dorman  Holsten  Mares  Rhodes  Vandeveer
Bishop  Eastlund  Howes  McElroy  Rifenberg  Walz
Blaine  Erhardt  Jacobson  Molnau  Ruth  Westerberg
Boudreau  Erickson  Johnson, J.  Mulder  Seagren  Westrom
Bradley  Finseth  Jordan  Ness  Seifert  Wilkin
Buesgens  Fuller  Kielkucki  Nornes  Smith  Wolf
Cassell  Gerlach  Knoblauch  Olson  Stanek  Workman
Clark, J.  Gunther  Krinke  Osskopp  Stang  Spk. Sviggum
Daggett  Haas  Kuisele  Ozment  Swenson
Davids  Hackbarth  Leppik  Paulsen  Sykora

Those who voted in the negative were:

Anderson, I.  Entenza  Jaros  Larson  Opatz  Skoe
Bakk  Evans  Jennings  Leighton  Otremba  Skoglund
Bernardy  Folliard  Johnson, R.  Lenczewski  Pelowski  Slawik
Biernat  Gleason  Johnson, S.  Lieder  Paymar  Solberg
Carlson  Goodwin  Juhnke  Mahoney  Peterson  Swapinski
Clark, K.  Gray  Kahn  Mariani  Peterson  Thompson
Davnie  Greiling  Kalis  Marko  Pugh  Wagenius
Dawkins  Hilstrom  Kelliher  Marquart  Rukavina  Walker
Dibble  Hilty  Koskinen  Mullery  Schumacher  Wasiluk
Dorn  Huntley  Kuhly  Murphy  Sertich  Winter

So it was the judgment of the House that the decision of the Speaker should stand.

Westrom moved to amend S. F. No. 3154 as follows:

Page 4, after line 5, after the period, insert "Seventy-two percent of any fine must be paid to the family or estate of the deceased employee."

A roll call was requested and properly seconded.

Entenza moved to amend the Westrom amendment to S. F. No. 3154 as follows:

Page 1, line 3, after "family" insert "of the injured" and delete the remainder of the line
Page 1, line 4, delete "deceased"

A roll call was requested and properly seconded.
The question was taken on the amendment to the amendment and the roll was called. There were 111 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Abeler   Dorman   Howes   Larson   Otremba   Solberg
Anderson, B. Dorn   Huntley   Leighton   Ozment   Stanek
Anderson, I. Entenza   Johnson, J.   Leppik   Pawlenty   Stang
Bakk   Evans   Jacobson   Lenczewski   Paymar   Swapinski
Bernardy   Folliard   Jennings   Lieder   Pelowski   Swenson
Biernat   Finseth   Johnson, S.   Mahoney   Penas   Thompson
Blaine   Fuller   Mares   Peterson   Tuma
Boudreau   Gleason   Mariani   Pugh   Vandeveer
Buesgens   Goodwin   Marko   Rhodes   Wagenius
Carlson   Gray   Nahkne   Marquart   Rifenberg   Walker
Cassell   Greiling   Kahn   Molnau   Rukavina   Walz
Clark, J.   Gunther   Kalis   Mullery   Ruth   Wasiluk
Clark, K.   Haas   Kelligher   Murphy   Schumacher   Westerberg
Daggett   Hackbarth   Kielkucki   Ness   Seifert   Westrom
Davnie   Harder   Knoblach   Nornes   Sertich   Wilkin
Dawkins   Hilstrom   Koskine   Olson   Skoe   Winter
Dehler   Hilty   Krinkie   Opatz   Skuglund   Smith
Dempsey   Holberg   Kubly   Osskopp   Stawik
Dibble   Holsten   Kuisle   Osthoff   Smith

Those who voted in the negative were:

Abrams   Eastlund   Lindner   Paulsen   Wolf
Bishop   Erhardt   Lipman   Seagren   Workman
Bradley   Erickson   McElroy   Sykora   Spk. Sviggum
Davids   Gerlach   Mulder   Tingelstad

The motion prevailed and the amendment to the amendment was adopted.

Holberg was excused for the remainder of today's session.

The question recurred on the Westrom amendment, as amended, and the roll was called. There were 106 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abeler   Clark, J.   Evans   Hilty   Kielkucki   Mariani
Anderson, B.   Clark, K.   Finseth   Howes   Knoblach   Marko
Anderson, I.   Daggett   Folliard   Huntley   Koskine   Marquart
Bakk   Davnie   Fuller   Jacobson   Krinkie   Mullery
Bernardy   Dawkins   Gleason   Jaros   Kubly   Murphy
Biernat   Dehler   Goodwin   Jennings   Kuisle   Ness
Bishop   Dempsey   Gray   Johnson, R.   Larson   Olson
Blaine   Dibble   Greiling   Johnson, S.   Leighton   Opatz
Boudreau   Dorn   Gunther   Jordan   Lenczewski   Osskopp
Buesgens   Dorn   Haas   Juhnke   Lieder   Osthoff
Carlson   Eastlund   Hackbarth   Kahn   Mahoney   Otremba
Cassell   Entenza   Hilstrom   Kelligher   Mares   Ozment
McElroy moved that S. F. No. 3154, as amended, be returned to the General Register. The motion prevailed.

S. F. No. 3174 was reported to the House.

McElroy moved to amend S. F. No. 3174 as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 3464, the first engrossment:

"Section 1. Minnesota Statutes 2001 Supplement, section 53B.05, subdivision 1, is amended to read:

Subdivision 1. [NET WORTH.] Each licensee engaging in money transmission at six or fewer locations in the state, either directly or through authorized delegates, must have a net worth of at least $50,000, calculated in accordance with generally accepted accounting principles. Licensees engaging in money transmission at more than one location, six locations in the state, either directly or through authorized delegates, shall have an additional net worth of $100,000 and an additional net worth of $50,000 per for each location or authorized delegate located in the state in excess of seven, as applicable, to a maximum of $500,000. Net worth shall be calculated in accordance with generally accepted accounting principles.

Sec. 2. Minnesota Statutes 2001 Supplement, section 53B.08, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT.] Each application must be accompanied by a surety bond, irrevocable letter of credit, or other similar security device acceptable to the commissioner in the amount of $10,000 to $25,000. If the applicant proposes to engage in business under this chapter at more than seven locations, through authorized delegates or otherwise, then the amount of the security device must be increased by $10,000 per location, up to a maximum of $250,000. If the applicant proposes to engage in business under this chapter at more than six locations, through authorized delegates or otherwise, then the amount of the security device must be increased by $50,000 for each location over six, up to a maximum of $250,000. The security device must be in a form satisfactory to the commissioner and must run to the state for the benefit of any claimants against the licensee to secure the faithful performance of the obligations of the licensee with respect to the receipt, handling, transmission, and payment of money in connection with the sale and issuance of payment instruments or
transmission of money. In the case of a bond, the aggregate liability of the surety in no event shall exceed the principal sum of the bond. Claimants against the licensee may themselves bring suit directly on the security device or the commissioner may bring suit on behalf of these claimants, either in one action or in successive actions.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 3174, A bill for an act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 119 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abeler    Dempsey    Hilty    Leighton    Otremba    Stanek
Abrams    Dibble     Holsten  Leczewski  Ozment     Stang
Anderson, B. Dornan     Howes    Leppik    Paulsen    Swapinsky
Anderson, I. Dorn    Huntley    Lieder    Pawlenty    Swenson
Bakk      Eastlund    Jacobson Lindner    Paymar     Sykora
Bernardy  Entenza     Jaros    Mahoney    Pelowski    Thompson
Biernat   Erhardt     Jennings Mares     Penas      Tingelstad
Bishop    Evans       Johnson, J. Mariani  Peterson    Tuma
Blaine    Folliaid    Johnson, R. Marko     Pugh       Vandeveer
Boudreau  Fuller      Johnson, S. Marquart  Rhodes     Wagenius
Bradley   Gerlach     Jordan    McElroy    Rifenberg  Walker
Carlson   Gleason     Juhnke    Molnau     Rukavina   Walz
Cassell   Goodwin     Kain     Mulder     Ruth       Wasiluk
Clark, J. Gray    Kalis    Mullery    Schumacher Seagren    Wilkin
Clark, K. Greiling Kelliher Murphy    Ness       Sertich    Winter
Daggett   Gunther     Knoblach  Nornes     Skoe       Wolf
Davids    Haas        Koskinen Nornes     Skoglund   Workman
Davnie    Hackbarth   Kubly     Olson     Slawik     Spk. Sviggum
Dawkins   Harder      Kuisle    Opatz      Solberg
Dehler    Hilstrom    Larson    Osskopp    Solberg

Those who voted in the negative were:

Buesgens  Finseth     Krinke    Smith
Erickson  Kielkucki  Seifert    Westerberg

The bill was passed, as amended, and its title agreed to.
There being no objection, H. F. No. 2882, which was continued earlier today on the Calendar for the Day, was again reported to the House.

H. F. No. 2882, A bill for an act relating to traffic regulations; regulating the operation of electric personal assistive mobility devices on roadways and sidewalks; amending Minnesota Statutes 2000, sections 168.011, subdivision 4; 169.01, subdivision 3, by adding a subdivision; 171.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 169.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 105 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Andersen, B.  
Anderson, I.  
Bakken  
Bernardy  
Bierman  
Bishop  
Blaine  
Boudreau  
Bradley  
Buesgens  
Carlson  
Cassell  
Clark, K.  
Daggett  
Davids  
Davnie  
Dawkins  
Dehler  
Dempsey  
Dibble  
Dorman  
Eastlund  
Entenza  
Erickson  
Evans  
Fuller  
Gerlach  
Geleson  
Goodwin  
Greiling  
Gunther  
Haas  
Hackbart  
Harder  
Hilstrom  
Hilty  
Holsten  
Howes  
Huntley  
Jacobson  
Jennings  
Johnson, J.  
Johnson, S.  
Jordan  
Kahn  
Kellner  
Kielsicki  
Krinke  
Kubly  
Kuisle  
Larson  
Leighton  
Lenczewski  
Lieder  
Lindner  
Lipman  
Mares  
Marquart  
McElroy  
Molnau  
Mulder  
Mullery  
Ness  
Nornes  
Olson  
Opatz  
Osskopp  
Osthoff  
Otremba  
Ozment  
Paulsen  
Pawlenty  
Pawlenty  
Pelowski  
Pugh  
Rifenberg  
Rukavina  
Ruth  
Schumacher  
Seagren  
Seifert  
Seinfelt  
Skoe  
Skoglund  
Solberg  
Stank  
Swain  
Swenson  
Sykora  
Tingelstad  
Tuma  
Vanderveer  
Wagenius  
Walz  
Wasiuk  
Westberg  
Westrom  
Winter  
Wolf  
Workman  
Spk. Sviggum

Those who voted in the negative were:

Abeler  
Abrams  
Clark, J.  
Dorn  
Erhardt  
Finseth  
Folliard  
Johnson, R.  
Kalis  
Knoblauch  
Koskinen  
Leppik  
Mahoney  
Marko  
Murphy  
Paymar  
Penas  
Peterson  
Petersen  
Rhodes  
Slawik  
Smith  
Walker

The bill was passed and its title agreed to.

Pawlenty moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Bishop moved that the names of Walz, Goodno, Blaine and Mulder be added as authors on H. F. No. 197. The motion prevailed.

Stanek moved that the name of Jordan be added as an author on H. F. No. 2622. The motion prevailed.
Stanek moved that his name be stricken as an author on H. F. No. 2818. The motion prevailed.

Pugh moved that his name be stricken as an author on H. F. No. 3011. The motion prevailed.

Milbert moved that his name be stricken as an author on H. F. No. 3011. The motion prevailed.

McElroy moved that the names of Clark, K., and Mariani be added as authors on H. F. No. 3464. The motion prevailed.

Bakk moved that his name be stricken as an author on H. F. No. 3498. The motion prevailed.

Daggett moved that the name of Jordan be added as an author on H. F. No. 3503. The motion prevailed.

Seifert moved that the name of Davnie be added as an author on H. F. No. 3691. The motion prevailed.

Pursuant to rule 4.30, Rukavina moved that H. F. No. 3436 be recalled from the Committee on Commerce, Jobs and Economic Development, be given its second reading, and be placed on the General Register.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Seifert moved that the Rukavina motion be laid on the table.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Anderson, I., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dawkins</th>
<th>Haas</th>
<th>Kielkucki</th>
<th>Molnau</th>
<th>Rhodes</th>
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<td>Koskinen</td>
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<td>Anderson, I.</td>
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<td>Johnson, J.</td>
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<td>Johnson, R.</td>
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<td>Cassell</td>
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<td>Clark, J.</td>
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<td>Clark, K.</td>
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<td>Davnie</td>
<td>Gunther</td>
<td>Kellher</td>
<td>McElroy</td>
<td>Pugh</td>
<td>Thompson</td>
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Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Seifert motion and the roll was called.

Rukavina moved that those not voting be excused from voting. The motion did not prevail.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 65 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler  Davids  Hackbarth  Lindner  Paulsen  Sykora
Abrams  Dehler  Harder  Lipman  Pawlenty  Tingelstad
Anderson, B.  Dorman  Holsten  Mares  Penas  Tuma
Bishop  Eastlund  Jacobson  McElroy  Rhodes  Vandeveer
Blaine  Erhardt  Johnson, J.  Molnau  Rifenberg  Walz
Boudreau  Erickson  Jordan  Mulder  Ruth  Westrom
Bradley  Finseth  Kielkucki  Ness  Seagren  Wilkin
Buesgens  Fuller  Knoblach  Nornes  Seifert  Wolf
Cassell  Gerlach  Krinkie  Olson  Stank  Workman
Clark, J.  Gunther  Kuisele  Osskopp  Stang  Spk. Sviggum
Daggett  Haas  Leppik  Ozment  Swenson

Those who voted in the negative were:

Anderson, I.  Entenza  Jennings  Lenczewski  Paymar  Solberg
Bakk  Evans  Johnson, R.  Lieder  Pelowski  Swapinski
Bernardy  Folliard  Johnson, S.  Mahoney  Peterson  Thompson
Biernat  Goodwin  Juhnkke  Mariani  Pugh  Wagens
Carlson  Gray  Kahn  Marko  Rukavina  Walker
Clark, K.  Greiling  Kalis  Marquart  Schumacher  Wasiluk
Davnie  Hilstrom  Kelliher  Mullery  Sertich  Westerberg
Dawkins  Hilty  Koskinen  Murphy  Skoe  Winter
Dempsey  Howes  Kubly  Opatz  Skoglund
Dibble  Huntley  Larson  Osthoff  Slawik
Dorn  Jaros  Leighton  Otrema  Smith

The motion prevailed and the Rukavina motion was laid on the table.

**ADJOURNMENT**

Pawlenty moved that when the House adjourns today it adjourn until 9:00 a.m., Tuesday, March 19, 2002. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Tuesday, March 19, 2002.

EDWARD A. BURDICK, Chief Clerk, House of Representatives